


**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

UNITED STATES OF AMERICA,)	No. 3:01cr104-05
)	
Plaintiff)	
)	
v.)	ORDER
)	
JOSE OSEGUERA RODRIGUEZ,)	
)	
Defendant)	

Defendant **JOSE OSEGUERA RODRIGUEZ** moves the Court for modification of his imposed sentence. The Motion is **DENIED**.

The defendant is not eligible for a reduction pursuant to Amendment 706. According to the Presentence Report prepared for the above referenced case, the controlled substance related to this offense was cocaine powder not crack cocaine.

Signed: February 17, 2010



Frank D. Whitney
United States District Judge

